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MONTANA LEGISLATIVE HISTORY

Chapter 547 19 95

Bill H 5 S _____ Original bill & history ✓ C

H. Committee on Appropriations		S. Committee on Finance & Claims	
Hearing Date(s) 3-15	✓ C	Hearing Date(s) 4-3	✓ C
_____	____ C	_____	____ C
_____	____ C	_____	____ C
_____	____ C	_____	____ C
Date Out 4/26	____ C		

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

There was a house free Conference Committee Hearing on 4-11-95, but no minutes of it.

HEARING
COMMITTEE REPORT—BILL CONCURRED AS AMENDED
2ND READING CONCURRED AS AMENDED 28 22
3RD READING CONCURRED 28 22

RETURNED TO HOUSE WITH AMENDMENTS
2ND READING AMENDMENTS NOT CONCURRED 82 15
FREE CONFERENCE COMMITTEE APPOINTED
HEARING
HEARING
FREE CONFERENCE COMMITTEE REPORT NO. 1
2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED 56 43
3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED 58 41

SENATE
FREE CONFERENCE COMMITTEE APPOINTED
FREE CONFERENCE COMMITTEE REPORT NO. 1
2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED 28 22
3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED 27 23
SIGNED BY SPEAKER
SIGNED BY PRESIDENT
TRANSMITTED TO GOVERNOR
SIGNED WITH LINE ITEM VETO
CHAPTER NUMBER 593
EFFECTIVE DATE: 07/01/95

RODUCED BY ZOOK

PROPRIATE MONEY TO VARIOUS STATE AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1995

REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

19 INTRODUCED
2 FIRST READING
2 REFERRED TO APPROPRIATIONS
3 HEARING
7 COMMITTEE REPORT—BILL PASSED AS AMENDED
1 2ND READING PASSED 89 9
2 3RD READING PASSED 92 8

TRANSMITTED TO SENATE
3 FIRST READING
3 REFERRED TO FINANCE & CLAIMS
8 HEARING
1 COMMITTEE REPORT—BILL CONCURRED AS AMENDED
4 2ND READING CONCURRED 49 0
5 3RD READING CONCURRED 45 5

RETURNED TO HOUSE WITH AMENDMENTS
1 2ND READING AMENDMENTS CONCURRED 94 6
2 3RD READING AMENDMENTS CONCURRED 90 9
3 SIGNED BY SPEAKER
8 SIGNED BY PRESIDENT
8 TRANSMITTED TO GOVERNOR

4/28 SIGNED WITH LINE ITEM VETO
CHAPTER NUMBER 587
EFFECTIVE DATE: 04/28/95

NOTE: THE GOVERNOR'S LINE ITEM VETO WAS SUSTAINED IN A POST-SESSION LEGISLATOR POLL. WITH 143 LEGISLATORS VOTING, 67 VOTED TO OVERRIDE THE LINE ITEM VETO AND 76 VOTED AGAINST AN OVERRIDE.

HB 4 INTRODUCED BY ZOOK

APPROPRIATE MONEY THAT WOULD USUALLY BE APPROPRIATED BY BUDGET AMENDMENT TO VARIOUS STATE AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1995

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

12/22 INTRODUCED
1/02 FIRST READING
1/02 REFERRED TO APPROPRIATIONS
2/10 HEARING
2/28 COMMITTEE REPORT—BILL PASSED AS AMENDED
3/03 2ND READING PASSED AS AMENDED 92 8
3/06 3RD READING PASSED 92 8

TRANSMITTED TO SENATE
3/07 FIRST READING
3/07 REFERRED TO FINANCE & CLAIMS
3/14 HEARING
3/22 COMMITTEE REPORT—BILL CONCURRED AS AMENDED
4/04 2ND READING CONCURRED AS AMENDED 49 0
4/05 3RD READING CONCURRED 45 5

RETURNED TO HOUSE WITH AMENDMENTS
4/11 2ND READING AMENDMENTS CONCURRED 88 11
4/12 3RD READING AMENDMENTS CONCURRED 90 9
4/13 SIGNED BY SPEAKER
4/18 SIGNED BY PRESIDENT
4/18 TRANSMITTED TO GOVERNOR
4/25 SIGNED BY GOVERNOR
CHAPTER NUMBER 511
EFFECTIVE DATE: 04/25/95

HB 5 INTRODUCED BY BERGSAGEL

APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1997

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

12/19 INTRODUCED
1/02 FIRST READING
1/02 REFERRED TO APPROPRIATIONS
3/15 HEARING
3/17 COMMITTEE REPORT—BILL PASSED AS AMENDED
3/21 2ND READING PASSED 90 9
3/22 3RD READING PASSED 89 11

TRANSMITTED TO SENATE
3/23 FIRST READING
3/23 REFERRED TO FINANCE & CLAIMS
4/03 HEARING
4/04 COMMITTEE REPORT—BILL CONCURRED AS AMENDED
4/06 2ND READING CONCURRED AS AMENDED 50 0
4/07 3RD READING CONCURRED 50 0

RETURNED TO HOUSE WITH AMENDMENTS
4/10 2ND READING AMENDMENTS NOT CONCURRED 85 14

4/11	FREE CONFERENCE COMMITTEE APPOINTED		
4/11	HEARING		
4/12	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/13	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	84	16
4/13	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	88	10
	SENATE		
4/11	FREE CONFERENCE COMMITTEE APPOINTED		
4/12	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/13	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	50	0
4/13	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	45	5
4/18	SIGNED BY SPEAKER		
4/18	SIGNED BY PRESIDENT		
4/18	TRANSMITTED TO GOVERNOR		
4/26	SIGNED BY GOVERNOR CHAPTER NUMBER 547 EFFECTIVE DATE: 04/26/95		

HB 6 INTRODUCED BY BERGSAGEL

APPROPRIATE MONEY TO DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

12/20	INTRODUCED		
1/02	FIRST READING		
1/02	REFERRED TO APPROPRIATIONS		
1/17	HEARING		
1/18	HEARING		
2/15	HEARING		
3/16	COMMITTEE REPORT—BILL PASSED AS AMENDED		
3/18	2ND READING PASSED	84	13
3/20	3RD READING PASSED	89	11
	TRANSMITTED TO SENATE		
3/21	FIRST READING		
3/21	REFERRED TO FINANCE & CLAIMS		
3/27	HEARING		
3/28	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/04	2ND READING CONCURRED	44	5
4/05	3RD READING CONCURRED	41	9
	RETURNED TO HOUSE WITH AMENDMENTS		
4/11	2ND READING AMENDMENTS NOT CONCURRED	78	16
4/11	FREE CONFERENCE COMMITTEE APPOINTED		
4/12	HEARING		
4/12	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/13	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	86	11
4/13	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	84	11
	SENATE		
4/12	FREE CONFERENCE COMMITTEE APPOINTED		
4/13	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/13	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	42	8
4/13	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	38	12

4/18	SIGNED BY SPEAKER		
4/18	SIGNED BY PRESIDENT		
4/18	TRANSMITTED TO GOVERNOR		
4/25	SIGNED BY GOVERNOR CHAPTER NUMBER 512 EFFECTIVE DATE: 04/25/95—SECTIONS 2-7 EFFECTIVE DATE: 07/01/95—SECTION 1		

HB 7 INTRODUCED BY BERGSAGEL

APPROPRIATE MONEY TO DEPARTMENT OF NATURAL R
CONSERVATION FOR GRANTS FOR DESIGNATED PR
THE RECLAMATION AND DEVELOPMENT GRANTS PRC

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAI

12/20	INTRODUCED		
1/02	FIRST READING		
1/02	REFERRED TO APPROPRIATIONS		
2/15	HEARING		
3/16	COMMITTEE REPORT—BILL PASSED AS AMEN		
3/18	2ND READING PASSED		
3/20	3RD READING PASSED		
	TRANSMITTED TO SENATE		
3/21	FIRST READING		
3/21	REFERRED TO FINANCE & CLAIMS		
3/27	HEARING		
3/27	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED		
4/05	3RD READING CONCURRED		
	RETURNED TO HOUSE		
4/07	SIGNED BY SPEAKER		
4/08	SIGNED BY PRESIDENT		
4/10	TRANSMITTED TO GOVERNOR		
4/14	SIGNED BY GOVERNOR CHAPTER NUMBER 454 EFFECTIVE DATE: 07/01/95		

HB 8 INTRODUCED BY BERGSAGEL

APPROVE RENEWABLE RESOURCE PROJECTS AND AUTH

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAI

12/22	INTRODUCED		
1/02	FIRST READING		
1/02	REFERRED TO APPROPRIATIONS		
1/17	HEARING		
1/18	HEARING		
2/15	HEARING		
3/16	COMMITTEE REPORT—BILL PASSED AS AMENI		
3/21	2ND READING PASSED		
3/22	3RD READING PASSED		
	TRANSMITTED TO SENATE		
3/23	FIRST READING		
3/23	REFERRED TO FINANCE & CLAIMS		
3/27	HEARING		
3/27	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED		
4/05	3RD READING CONCURRED		
	RETURNED TO HOUSE		
4/07	SIGNED BY SPEAKER		
4/08	SIGNED BY PRESIDENT		

HOUSE BILL NO. 5

INTRODUCED BY BERGSAGEL

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 9], unless otherwise stated, the following definitions apply:

(1) "Capital project" means the acquisition of land or improvements or the planning, capital construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 9].

(2) "LRBP" means the long-range building program account in the capital projects fund type.

(3) "Other funding sources" means money other than LRBP money, including special revenue fund money, that accrues to an agency under the provisions of the law.

NEW SECTION. **Section 2. Capital projects appropriations.** The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration, which is authorized to transfer the appropriated money among the necessary fund types for these projects:

Agency/Project	LRBP		Other Funding Sources
DEPARTMENT OF ADMINISTRATION			
ADA Accessibility Modifications,			
Capitol Complex	$100,000		
Capitol Restoration, Capitol Complex		$ 300,000	Federal Special Revenue
		1,100,000	Donations
		439,000	Proprietary
		250,000	Capitol Land Grant Revenue

1	DEPARTMENT OF CORRECTIONS & HUMAN SERVICES			
2	Facility Improvements,			
3	Center for the Aged	330,000		
4	Roof Replacements, Corrections			
5	and Human Services	70,000		
6	Facility Improvements,			
7	Montana Developmental Center	644,000		
8	Facility Maintenance, Montana			
9	Veterans' Home		215,952	State Special Revenue
10	Swan River Correctional Training Center			
11	Expansion		560,000	Federal Special Revenue
12	Montana State Prison Expansion		1,500,000	Federal Special Revenue
13	Regional Correctional Facilities		4,000,000	Federal Special Revenue
14	DEPARTMENT OF FAMILY SERVICES			
15	Miscellaneous Improvements, Pine			
16	Hills School	100,000		
17	Lodge Replacement Planning,			
18	Pine Hills School	100,000		
19	DEPARTMENT OF FISH, WILDLIFE & PARKS			
20	Bluewater Hatchery, Phase II		2,500,000	State Special Revenue
21	Ulm Pishkun, Phase I		843,000	State Special Revenue
22	Administrative Facilities,			
23	Improvements		569,520	State Special Revenue
24	Makoshika State Park		300,000	State Special Revenue
25			100,000	Federal Special Revenue
26	Fish Health Lab		344,000	State Special Revenue
27	Tongue River Reservoir			
28	State Park		500,000	State Special Revenue
29			650,000	Federal Special Revenue
30	Fish Hatchery Maintenance		192,000	State Special Revenue

Spring Meadow Wildlife Rehabilitation			
and Education Center		600,000	State Special Revenue
		25,000	Federal Special Revenue
Lone Pine Visitor Center		150,000	State Special Revenue
Salmon and Placid Lakes			
State Park		140,000	State Special Revenue
		135,000	Federal Special Revenue
Whitefish Lake State Park		200,000	State Special Revenue
		200,000	Federal Special Revenue
Lake Elmo State Park,			
Phase III		150,000	State Special Revenue
Cooney Reservoir State Park		250,000	State Special Revenue
		40,000	Federal Special Revenue
DEPARTMENT OF LABOR & INDUSTRY			
Repair and Maintenance			
Local Job Services, Statewide		110,000	Federal Special Revenue
Expand Job Service,			
Havre		350,000	Federal Special Revenue
Purchase Land for Job Service			
Parking, Statewide		156,550	Federal Special Revenue
DEPARTMENT OF MILITARY AFFAIRS			
Repair STARC Armory HVAC			
System, Helena	258,500		
Roof Replacements, Statewide	107,000		
Construct Billings Armory		12,009,800	Federal Special Revenue
Federal Spending Authority		800,000	Federal Special Revenue
State Veterans' Cemetery			
Phase IV		75,000	State Special Revenue
		75,000	Federal Special Revenue

1	DEPARTMENT OF STATE LANDS			
2	Maintenance and Improvements,			
3	Statewide	336,400		
4	Construct Unit Office, Plains	300,000		
5	DEPARTMENT OF TRANSPORTATION			
6	Repair, Maintenance, and Minor			
7	Construction Projects, Statewide		650,000	Highways State Special Reve
8	Equipment Storage Buildings, Statewide		1,820,000	Highways State Special Reve
9	MONTANA UNIVERSITY SYSTEM			
10	Repair Old Main Steam Traps,			
11	UM - Western	55,000		
12	Repair Brockmann Center,			
13	MSU - Northern	200,000		
14	Museum Elevator,			
15	UM - Montana Tech	350,000		
16	Roof Replacements,			
17	University System	714,700		
18	Life Safety/Code Compliance			
19	University System	500,000		
20	ADA Accessibility Modifications			
21	University System	300,000		
22	Central Heating Plant, Phase II			
23	MSU - Bozeman		2,200,000	Auxiliary
24	Chemistry Building Renovation			
25	UM - Montana Tech		1,509,000	Donations
26	Pharmacy Addition/Renovation			
27	UM - Missoula		2,000,000	Donations
28	Authority Only Projects,			
29	Montana State University		11,375,946	Federal, Trust, Higher Educat
30				Funds, and Donations

Authority Only Projects,			
University of Montana		6,450,000	Federal, Trust, Higher Education Funds, and Donations
STATE BOARD OF EDUCATION			
Reshingle Cottage Complex, Montana			
School for the Deaf and Blind	120,000		

NEW SECTION. **Section 3. Land acquisition appropriation.** The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land leasing, easement purchase, or development agreement:

Agency/Project	LRBP	Other Funding Sources
Habitat Montana	$4,600,000	State Special Revenue
Fishing Access Site	800,000	State Special Revenue
Bighorn Sheep Program	652,720	State Special Revenue
BPA Mitigation	1,000,000	Federal Special Revenue

NEW SECTION. **Section 4. River restoration.** The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for river restoration:

Agency/Project	LRBP	Other Funding Sources
River Restoration	$ 290,000	State Special Revenue
Tongue River Restoration	1,100,000	State Special Revenue

NEW SECTION. **Section 5. Dams.** (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the following dams:

Agency/Project	LRBP	Other Funding Sources
South Sandstone Dam Repair	$ 250,000	State Special Revenue
Ringy Dingy Dam Repair	50,000	State Special Revenue

(2) In accordance with 85-1-101, the department of natural resources and conservation shall coordinate and

manage the projects.

NEW SECTION. **Section 6. Capital improvements.** (1) The following money is appropriated to the de of transportation in the indicated amounts for the purpose of making capital improvements to statewide fa

Agency/Project	LRBP	Other Funding Source
Repair, Maintenance, and Minor Construction Projects for Highways, Statewide	$250,000	State Special Revenu
Maintenance and Minor Construction Projects for Aeronautics, Statewide	50,000	State Special Revenue

(2) The following money is appropriated to the department of fish, wildlife, and parks in the indicated for the purpose of making capital improvements to statewide facilities:

Agency/Project	LRBP	Other Funding Source
Wildlife Habitat Maintenance	$227,000	State Special Revenue
Property Development	165,000	State Special Revenue
Fishing Access Protection, Statewide	625,000	State Special Revenue
	375,000	Federal Special Reven
Waterfowl Stamp Program	185,000	State Special Revenue
Statewide Road Improvements	1,000,000	State Special Revenue
Miles City Hatchery Pond	110,000	State Special Revenue
Thompson Chain of Lakes Fishing Access Site	200,000	State Special Revenue
Boat "In Lieu" Regional Projects	400,000	State Special Revenue

(3) The following money is appropriated to the department of natural resources and conservatio indicated amounts for the purpose of the inspection, study, and renovation of dams:

Agency/Project	LRBP	Other Funding Source
Tongue River Dam Rehabilitation	$ 3,275,000	State Special Revenue

	30,465,000	Federal Special Revenue
	11,001,000	Tribal Loan
Petrolia Dam Rehabilitation	1,076,000	State Special Revenue
Nevada Creek Dam Study	360,000	State Special Revenue
Ruby River Dam Study	480,000	State Special Revenue

(4) The following money is appropriated to Montana state university in the indicated amount for the purpose of making capital improvements to campus facilities:

Agency/Project	LRBP	Other Funding Sources
Authority Only Projects,		
Montana State University	$ 200,000	Federal, Trust, Higher Education Funds, and Donations

(5) The following money is appropriated to the university of Montana in the indicated amount for the purpose of making capital improvements to campus facilities:

Agency/Project	LRBP	Other Funding Sources
Authority Only Projects,		
University of Montana	$ 900,000	Federal, Trust, Higher Education Funds, and Donations

NEW SECTION. **Section 7. Planning and design.** The department of administration may proceed with the planning and design of capital projects prior to the receipt of other funding sources. The department may use interaccount loans in accordance with 17-2-107 to pay planning and design costs incurred prior to the receipt of other funding sources.

NEW SECTION. **Section 8. Capital projects -- contingent funds.** If a capital project is financed in whole or in part with appropriations contingent upon the receipt of other funding sources, the department of administration may not let the projects for bid until the agency has submitted a financial plan for approval by the director of the department of administration. A financial plan may not be approved by the director if:

(1) the level of funding provided under the financial plan deviates substantially from the funding level provided in [sections 1 through 6] for that project; or

(2) the scope of the project is substantially altered or revised from the preliminary plans presente project in the 1996-97 long-range building program presented to the 54th legislature.

NEW SECTION. **Section 9. Legislative consent.** The appropriations authorized in [sections 1 : constitute legislative consent for the capital projects contained in [sections 1 through 8] within the m 18-2-102.

NEW SECTION. **Section 10. Severability.** If a part of [this act] is invalid, all valid parts that are seve the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 11. Effective date.** [This act] is effective on passage and approval.

-END-

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 15, 1995, at 8:00 a.m.

ROLL CALL

Members Present:

Rep. Tom Zook, Chairman (R)
Rep. Edward J. "Ed" Grady, Vice Chairman (Majority) (R)
Rep. Joe Quilici, Vice Chairman (Minority) (D)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)
Rep. John Cobb (R)
Rep. Roger Debruycker (R)
Rep. Gary Feland (R)
Rep. Marjorie I. Fisher (R)
Rep. Don Holland (R)
Rep. Royal C. Johnson (R)
Rep. John Johnson (D)
Rep. Mike Kadas (D)
Rep. Betty Lou Kasten (R)
Rep. Matt McCann (D)
Rep. William T. "Red" Menahan (D)
Rep. Steve Vick (R)
Rep. William R. Wiseman (R)

Members Excused: None.

Members Absent: None.

Staff Present: Nan LeFebvre, Fiscal Analyst
Marjorie Peterson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing:	HB 5, HB 15, HB 19, HB 143, HB 579, HB 584, HB 585, HB 594, HB 595
Executive Action:	DO PASS AS AMENDED: HB 3, HB 5, HB 15, HB 584, HB 585, HB 594, HB 595; HB 19 DO PASS, HB 395 DO PASS

Motion/Vote: REP. BERGSAGEL MOVED HB 595 DO PASS AS AMENDED. Motion carried 15 - 3, with REPS. COBB, KASTEN and McCANN voting no.

{Tape: 2; Side: B; Approx. Counter: 59.0.}

EXECUTIVE ACTION ON HB 5

Motion: REP. BERGSAGEL MOVED HB 5 AMENDMENT HB000501.A15 DO PASS.

Discussion: REP. BERGSAGEL summarized the bill and explained that the Long-Range Building subcommittee agreed on the following areas: ADA accessibility for $100,000; Capitol restoration, authorized $5.3 million for historical preservation; $1.2 million for infrastructures associated with Capitol; maintenance and repair projects at the Department of Transportation for $1.4 million; equipment and buildings around the state for $1.8 million, i.e., fuel tank storage to comply with EPA and repair the Aeronautics building; roof repairs at various armories around the state for the Department of Military Affairs. The potential cost is about $22 million. The big item in this bill will be funded by the federal government, but Montana will pay for maintenance costs. Other projects are a Veterans cemetery at Fort Harrison for $150,000; various compliance jobs around the state for $260,000 for the Department of Labor; improved security at Pine Hill for Department of Family Services; Department of State Lands buildings maintenance around the state for $336,000; roof repair at the School for Deaf and Blind in Great Falls for $120,000; improvements for the Center of the Aged in Lewistown for $340,000. **REP. BERGSAGEL** reminded the committee that this bill will be heard again in conference committee and other amendments would probably be offered at that time.

{Tape: 3; Side: A; Approx. Counter: 0.1.}

REP. BERGSAGEL continued with other items in this bill, which include: maintenance of veterans homes in Columbia Falls, $215,000; expansion of the boot camp, $560,000; Montana State Prison expansion, $4.2 million (for bonding authority in HB 15); Tongue River Dam rehabilitation at DNRC, $35 million -- this is a big item and will receive federal money; university system repairs at Western Montana College, $55,000 and Northern Montana College, $75,000; handicap accessibility at Montana Tech museum, $350,0000; university system building roof replacements, $714,000; university system ADA accessibility, $250,000. **REP. BERGSAGEL** noted that this amendment essentially clarifies technical language and adjusts amounts being appropriated.

Vote: Motion that HB 5 Amendment HB000501.A15 Do Pass carried unanimously.

Motion: REP. BERGSAGEL MOVED HB 5 AMENDMENT HB000502.A11 DO PASS.

Discussion: Ms. LeFebvre explained the first item on the amendment raises the amount on page 1, line 28, from $1.1 million to $5.3 million; however, it also includes federal special revenue along with donations. Item 3, page 5, line 7, includes language in regards to the Capitol building project, dealing with CTEP and federal funds and allows the Department of Administration to use CTEP funds, if they become available above and beyond what is included in this bill. **REP. KADAS** asked if this were just spending authority or if they know the level of donations and federal special revenue they can expect. **Ms. LeFebvre** said in HB 15 the bonding authority was approved for the infrastructure part of the Capitol building so this amendment includes the historic restoration part and spending authority only. **Tom O'Connell, A&E,** said the Capitol restoration commission is charged with trying to raise private funds for this project. There are no certain expectations or levels that are available, so the amendment just allows the department to spend additional CTEP funds, if they become available. The authority gives them the ability to raise additional funds over the next biennium, with the possibility of raising an additional $2 million.

REP. KADAS asked to put items 1 and 3 on the amendment in the same motion, but to separate item 2. **REP. BERGSAGEL** agreed to that. **REP. VICK** asked for an explanation of CTEP funds. **CHAIRMAN ZOOK** said those were funds from the Community Transportation Enhancement Program. They receive 10% federal match dollars on highways. The federal government guidelines say that 10% will go into a fund and be used in an enhancement program. He thought it was to be used for bikeways, etc., so he asked for an explanation.

Debbie Fulton, Administrator, General Services Division, remarked that historical projects and art projects qualified under CTEP guidelines. **REP. ROYAL JOHNSON** questioned the level of funds for this project. **Ms. Fulton** said they will receive about $696,000 this year. **EXHIBIT 15.**

REP. VICK asked if this would affect CTEP money overall and if they were competing statewide for this money. If they use it for the Capitol, it would not be available for local communities. **CHAIRMAN ZOOK** said it was designed to go to communities, but if communities are willing to send it to the state to use on the Capitol restoration, they have that option.

Vote: Motion that HB 5 Amendment HB000502.A11, Items 1 and 3, Do Pass carried unanimously.

Motion: REP. BERGSAGEL MOVED HB 5 AMENDMENT HB000502.A11 ITEM 2 DO PASS.

Discussion: This item, for the Aspen program in Boulder, is $560,000 to upgrade the facility to house this program. **REP. BERGSAGEL** said this amount would be sufficient for A&E to remodel the building for this program. **REP. KASTEN** asked if this was contingent on the passage of another bill or if it was a "done deal." She asked if they already knew if Helena would get the Academy and Boulder would get the Aspen Program. **REP. BERGSAGEL** stated there were no contingencies associated with this motion. The bill would be in conference committee, but a lot depends on what is done in this committee.

Vote: **Motion that HB 5 Amendment HB000502.A11 Item 2 Do Pass carried 15 -3, with REPS. COBB, FISHER and KASTEN voting no.**

Motion: **REP. BERGSAGEL MOVED HB 5 AMENDMENT HB000501.AGP DO PASS.**

Discussion: **REP. BERGSAGEL** said they were required to give up to 1% new construction money for Montana Art in new buildings. He did not agree with that, so this amendment requires they give up to 2% for maintenance for those buildings. He also made a correction on the amendment in the last line of item 2, to delete "of the project."

REP. KADAS asked if he was eliminating or just avoiding the "One-Percent-For-Art" issue. **REP. BERGSAGEL** said it was his intent to eliminate the 1% and charge 2% for maintenance. **REP. KADAS** said this bill is a general appropriations bill, that **REP. BERGSAGEL** couldn't change substantive law and it wouldn't work. **REP. BERGSAGEL** said he was just changing it for specific projects, not changing the substantive law. **REP. KADAS** again said he thought he was trying to avoid substantive law here and it shouldn't be done. **REP. BERGSAGEL** replied that he considered it workable as long as it was restricted to these projects and not projects in general.

REP. ROYAL JOHNSON asked why this amendment was being offered only for these projects. **REP. BERGSAGEL** said if he had known about this earlier in the session, he would have introduced a bill to change it. He said he was a "country boy" and thinks that maintenance money is a better way to spend money than putting a mural on the wall. **REP. JOHNSON** reminded him that state law specifies that they do that. In the past, the state has given them matching money for art projects. He thought this was a poor way to approach the whole program. If **REP. BERGSAGEL** didn't like the 1% that is already a law, he should do something about that first. He didn't think they could just pick out specific projects and change them.

REP. WISEMAN asked if they had been paying 1% of the total cost of state buildings for Montana art. **REP. BERGSAGEL** said the key word was "up to" 1%. The intent of this amendment is to divert money to long range building and set up a revolving account to [illegible] maintenance fund for the future.

Ralph DeCunzo, A&E, said the intent is that money would be diverted to an account and available to use for maintenance projects of all state facilities. He said it would accumulate until the next session and they would use that account as a way of presenting maintenance projects to the next legislature for appropriation. It would then be assessed against those projects where funding sources would allow an assessment. He reminded the committee that not every new project constructed by the state would be considered.

REP. KADAS maintained that the One-Percent-For-Art says up to 1% and, if so, the legislature could provide that be used for art. He didn't think they should override statute. **REP. BERGSAGEL** considered withdrawing his motion.

REP. ROYAL JOHNSON asked which buildings would be eligible for this amendment. **Mr. DeCunzo** said he couldn't address **REP. BERGSAGEL's** intent, but the desire was to provide money to take care of existing facilities. Buildings that are funded 100% with federal funds would not allow the state to assess a fee. **REP. JOHNSON** asked if, in the past, the state has added that to the total cost of the building. **Mr. DeCunzo** said yes, when a project analysis is completed, they request One-Percent-For-Art from the agency in charge of the construction. The money is then transferred to the Montana Arts Council to administer the program. They work with the agency and architects, as well as the local communities, to decide what kind of art presentation they would like. **REP. JOHNSON** asked if it would cause problems if the Montana Arts Council decided not to use the money. **Mr. DeCunzo** said no, normally the appropriation is from the legislature and they set up and transfer the money to the Arts Council, which is a state agency. The agencies know that this money will be taken off the top. He's never been involved in a project where the agency has refused to pay. **REP. JOHN JOHNSON** agrees with **REP. KADAS** in designating which buildings don't want to use art money. They could change the statutes in the next session. He said that would be the cleanest way to do it, not this way, and he opposed the amendment. **REP. BERGSAGEL** noted that Greg Petesch from the Legislative Council thought it could be done this way. He said this is the largest building program Montana has ever had and they should be spending money on future maintenance, not on art.

Vote: **Motion that HB 5 Amendment HB000501.AGP Do Pass carried 14 - 4, with REPS. ROYAL JOHNSON, JOHN JOHNSON, BARNHART and KADAS voting no.**

Motion: **REP. QUILICI MOVED HB 5 AMENDMENT HB000502.A15 DO PASS.**

Discussion: **REP. QUILICI** said this amendment concerns the request for spending authority of donations at Western Montana College. There would be no general fund nor state special fund involved. The money is needed to complete the floor of the physical education complex which still has a dirt floor. The

college has been unable to use the building because of safety codes. The estimated cost of the project is $150,000. This amendment also includes restoration of the Vigilante Stadium which is also used for Dillon's high school stadium. There is $300,000 for renovation and, in cooperation with the high school district, they proposed to generate funds from private sources to complete the project. The school district will consider having the Anaconda Job Corps help in this project. He submitted a letter from Sheila Stearns, Western Montana College, who supported the projects. **EXHIBIT 16.**

REP. BERGSAGEL said this amendment ranks with the Prescott House at Missoula and the football stadium at Bozeman. He opposed the amendment and suggested that the Board of Regents add it to their priority list. **REP. QUILICI** said he could see a need for this project.

Glen Levitt, Director, Fiscal Affairs, Western Montana College, said this amendment was the product of a master plan at the college. It's the first master plan at Western since it originated 100 years ago. They have also worked with people in the community on a future plan. These projects are important to the community and there is no state or general fund money involved.

{Tape: 3; Side: A; Approx. Counter: 54.2.}

REP. ROYAL JOHNSON asked why they needed legislative authority if they are going to use donations. **Mr. Levitt** said he had checked with people in Helena who thought the authority was needed as the college is a state-owned facility and part of the university system. **REP. JOHNSON** asked why they didn't just go to the Board of Regents. He then asked **Mike Malone, President of MSU,** if they were to get money to fix the stadium, if they would go to the Board of Regents to get authority. **Mr. Malone** said there were several issues involved: the facility stands on a state project, but major parts of the MSU donations are in-kind donations. Some of those services are not compatible with the state's bidding guidelines. If it is state-owned property, legislative authority is necessary to renovate the stadium.

REP. McCANN said they have "opened the door" with the Prescott House and the Bozeman stadium, so they should be fair and accept this project, also.

Vote: **Motion that HB 5 Amendment HB000502.A15 Do Pass carried 13 - 5 on a roll call vote, with REPS. GRADY, BERGSAGEL, FELAND, KASTEN and VICK voting no.**

Discussion: **REP. JOHN JOHNSON** referred to the previous amendment, HB000501.A15, Item 7, which dealt with page 2, striking line 13 in its entirety. **REP. JOHNSON** said the bill was originally written to allow the Department of Corrections to receive $4 million in federal funds and if the amendment took

that out, it's the wrong way to do that. If there are federal funds available and the department can apply for them, they should be able to do so. He would like to restore line 13 on page 2 to collect that money. **REP. BERGSAGEL** said the subcommittee took out the $4 million because they had some hesitation on actually receiving it. **REP. JOHNSON** said if the money is available, they should be able to use it.

REP. VICK asked if the money could be used to replace bonding money. The problem is they would have $13 million to use to build regional prisons. If the crime bill money doesn't show up, they will only have $9 million. If federal money is turned down, it goes to other states. Some questioned whether the policy of not accepting federal money was wise.

{Tape: 3; Side: B; Approx. Counter: 0.1.}

REP. BERGSAGEL said that the process of building regional prisons would require approval by the voters first. He wanted to clarify that there is only $9 million available. **REP. JOHN JOHNSON** said he had been on the regional jail task force for over a year and didn't think they would start building any facilities unless the state funds were made available. If the $4 million is deducted, the flexibility is gone.

Motion/Vote: **REP. JOHN JOHNSON MOVED HB 5 AMENDMENT HB000501.A15, ITEM 7, NOT BE STRICKEN FROM THE BILL. Motion failed 7 - 11 on a roll call vote, with REPS. BARNHART, FISHER, JOHN JOHNSON, KADAS, MENAHAN, QUILICI and WISEMAN voting yes.**

Motion: **REP. KADAS MOVED HB 5 AMENDMENT HB000504.A11 DO PASS.**

Discussion: **REP. KADAS** said this amendment would appropriate money to the University of Missoula for the Prescott House project and would prohibit the university system from altering or changing the configuration of the road. He wanted to add the word "substantially" before "prohibited." The issue has been brewing for a few years. He explained that the Prescott house is 100 years old and sits to the east of campus. The road goes around campus and then between the house and campus. The university wants to straighten out the road between the house and Mount Sentinel and cut a portion of Mount Sentinel out. The Missoula community has been through the survey process and is trying to preserve the house and grounds. There was a general agreement reached in 1991 that said the grounds would not be substantially changed, but the university is not honoring that agreement.

Jim Todd, Vice President, University of Montana, said the project involves preserving the Prescott house, but, he said, there have been 32 accidents on the road in the past two years and there is an access problem to the campus. They are concerned that without realignment it would cost more to fix the road. The amendment by **REP. KADAS** gives them some problems. **REP. KADAS** said that the

people in Missoula are mad that the university is not listening to their concerns and not sticking to their original agreement.

REP. BERGSAGEL said he wished they had gotten their "ducks in a row" at the beginning of the session. Here they are, passing amendments for Dillon, Bozeman and Missoula and he is also at fault with the One-Percent-For-Art issue. He stated he would have to support this amendment.

REP. GRADY said he couldn't believe they were getting in this kind of situation. If it appears to be a safety problem and the need to straighten the road, then the safety of people's lives should be more of a concern than a building. He doesn't understand why the legislature should even be involved in these issues.

Vote: **Motion that HB 5 Amendment HB000504.A11 Do Pass failed 3 - 15, with REPS. MENAHAN, QUILICI and KADAS voting yes.**

REP. McCANN asked if it would be necessary to put additional money into the Swan River site for maintenance since they may be getting rid of the site. **REP. BERGSAGEL** replied it wasn't necessary as they aren't sure where the proposal is right now.

REP. KASTEN asked about the money for Makoshika State Park. **Doug Monger, FWP,** explained the money was for road repair, parking areas at the visitor center, additional trails and handicapped accessible trails. **REP. KASTEN** wanted to make sure there was no money in this amendment or bill for a shooting range.

REP. KADAS asked to strike the One-Percent-For-Art and insert wording that the Department of Administration shall minimize any expenditures for art within the scope of this bill. He is concerned that the amendment is using the long-range bill to repeal a substantive portion of the law without any public hearings. Referring to HB000501.AGP amendment, he said they owe it to the public to have fair and open hearings on the art issue. **REP. BERGSAGEL** said **REP. KADAS** was right.

Motion: **REP. KADAS MOVED TO STRIKE THE REPEALER OF ONE-PERCENT-FOR-ART AND ADD LANGUAGE DIRECTING THE DEPARTMENT OF ADMINISTRATION TO MINIMIZE EXPENDITURES ON ART.**

Vote: **Motion that Kadas Substitute Motion Do Pass carried 13 - 5, with REPS. KASTEN, DEBRUYCKER, VICK, WISEMAN and GRADY voting no.**

Discussion: **REP. BERGSAGEL** said he was still uncomfortable with the Prescott house controversy and the stadium in Bozeman. Both of these projects were contingent on a piece of legislation that would get them out of the bidding process.

Motion: **REP. BERGSAGEL MOVED TO DELETE THE PRESCOTT HOUSE, BOZEMAN STADIUM AND WESTERN MONTANA COLLEGE PROJECTS FROM THE BILL.**

Discussion: **REP. KADAS** said they should try to encourage the university system to get private donations and that would mean substantial savings for the state. **Mr. O'Connell** said if the amendment passes, these three projects would essentially be put on the shelf. **REP. WISEMAN** said he couldn't imagine anyone wanting to stand in the way of private donations. This is almost the 21st century, he said, and it is ridiculous to turn down alumni money. **REP. QUILICI** is concerned that the legislature is not backing up this facility. When that happens, he said, donations will start to dry up. It's tough enough to get donations and this would hurt the projects. **REP. BERGSAGEL** said he wants the university system to work more with the Board of Regents to put these projects on their priority list.

CHAIRMAN ZOOK said he was also guilty, because he had agreed with both situations at the major units, but he thought the Commissioner should approve them, also. He said he would reluctantly support the amendment. **Jeff Baker, Commissioner,** said he agreed with **REP. WISEMAN** and definitely did not want to stand in the way of alumni donations.

Vote: **Motion to Delete the Prescott house, Bozeman stadium and Western Montana College projects carried 11 - 7 on a roll call vote, with REPS. BARNHART, HOLLAND, JOHN JOHNSON, KADAS, MENAHAN, QUILICI, and WISEMAN voting no.**

Vote: **Motion that HB 5 Do Pass As Amended carried 17 - 1, with REP. KASTEN voting no.**

{Tape: 3; Side: B; Approx. Counter: 42.3.}

EXECUTIVE ACTION ON HB 595

Motion: **REP. GRADY MOVED HB 595 BE RECONSIDERED.**

Discussion: **REP. GRADY** said that this reconsideration was for a technical change advised by the LFA's office. **Ms. LeFebvre** said it concerns page 3, new section 6, where the original appropriation was $12,000 and the amendment is for $50,000. It does not say when or what year the appropriation should take place. They could consider adding the words: "There is a biennial appropriation for 1997 biennium" before the dollar amounts.

Vote: **Motion that HB 595 Be Reconsidered carried unanimously.**

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By **SENATOR GARY AKLESTAD, Chairman**, on Monday, April 3, 1995, at 8:00 a.m., Room 325.

ROLL CALL

Members Present:

Sen. Gary C. Aklestad, Chairman (R)
Sen. Thomas F. Keating, Vice Chairman (R)
Sen. Thomas A. "Tom" Beck (R)
Sen. James H. "Jim" Burnett (R)
Sen. Loren Jenkins (R)
Sen. Ethel M. Harding (R)
Sen. Arnie A. Mohl (R)
Sen. Charles "Chuck" Swysgood (R)
Sen. Daryl Toews (R)
Sen. Larry J. Tveit (R)
Sen. B.F. "Chris" Christiaens (D)
Sen. Eve Franklin (D)
Sen. Judy H. Jacobson (D)
Sen. Greg Jergeson (D)
Sen. John "J.D." Lynch (D)
Sen. Mignon Waterman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Taryn Purdy, Principal Fiscal Analyst
Lynn Staley, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: HB 5, HB 584, HB 594, HB 595,
Executive Action: HB 595

HEARING ON HOUSE BILL 5

Opening Statement by Sponsor:

REPRESENTATIVE ERNEST BERGSAGEL, House District 95, Malta, sponsor, indicated that HB 5 appropriates money for capital projects for the biennium ending June 30, 1997 and would provide

for a maintenance allowance based upon a percentage of construction.

REPRESENTATIVE BERGSAGEL summarized the projects in HB 5 and indicated that because of events happening with the building program, HB 5 should be sent to a conference committee. There also will be a needed amendment to the bill because of HB 349 by **REPRESENTATIVE RANEY** relating to Tongue River Dam funds.

Proponents' Testimony:

Bob Stephens, Montana Grain Growers' Association, testified in support of HB 5, specifically allowing construction of the bioscience facility in Bozeman.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

When questioned by **SENATOR SWYSGOOD** why the Ruby Dam study was taken off the list, **REPRESENTATIVE BERGSAGEL** said most of the money was needed for the Tongue River Dam, which is why the Nevada Creek Dam and Ruby River Dam study were taken from the list. He maintained that those facilities would probably be looked at in the next legislative session.

SENATOR WATERMAN questioned if $560,000 listed on page 2, line 16 is for the Correctional boot camp and $1.5 million is for the Montana State Prison expansion.

REPRESENTATIVE BERGSAGEL said that was correct and that it is federal special revenue.

SENATOR WATERMAN asked if a commitment is being made with the expansion money that the boot camp will be moved to the Prison or if the money would be used regardless of where the boot camp was located.

REPRESENTATIVE BERGSAGEL said that was correct. The language was changed so if it was moved, it would not have to be changed again.

When asked by **SENATOR WATERMAN** if that decision would be made within the Department, **REPRESENTATIVE BERGSAGEL** said it was his understanding that the Department had the authority to do that, but he was unsure where the money would be obtained to do it. There is $2 million of bonding authority remaining from last session, with some discussion regarding using that authority for the construction of that site.

In questioning from **SENATOR WATERMAN** as to the cost of construction at the Lake Connelly site, **REPRESENTATIVE BERGSAGEL** said it would be close to $2 million.

SENATOR KEATING questioned the funding source for the long range building program (LRBP) account.

REPRESENTATIVE BERGSAGEL said cigarette tax money contributes approximately $4.9 million of revenue to the account. State special revenue is approximately $25 million. There is approximately $64 million of federal special spending, such as the Billings Armory, the Bioscience building, any federal monies associated with Fish, Wildlife and Parks. There is approximately $11 million in private donations associated with HB 5.

When asked by **SENATOR KEATING** how much money was being appropriated out of LRBP in HB 5, **REPRESENTATIVE BERGSAGEL** said it was $105 million.

In questioning from **SENATOR KEATING** if the column headed "LRBP" in HB 5 is cigarette tax money, **REPRESENTATIVE BERGSAGEL** said that was correct.

SENATOR KEATING questioned the language in the Title of HB 5 regarding the repeal of Section 23, Chapter 624, Laws of 1993.

REPRESENTATIVE BERGSAGEL related that in the latter part of the 1993 session he found that a law stating that we would put up one percent of the money on new construction for art in buildings. He questioned that could be done in new construction but that the money could not be put away for maintenance. Language has now been changed to minimize the amount of money to be used for art, and he indicated that two percent would be put aside for maintenance for those facilities.

When questioned by **SENATOR KEATING** if this would repeal that section of law, **REPRESENTATIVE BERGSAGEL** said it is an exemption for the bills that are in the 1995 building program.

In questioning from **SENATOR KEATING** whether all the money has been used, **REPRESENTATIVE BERGSAGEL** said the entire building program of approximately $160 million.

SENATOR KEATING asked if the LRBP account is being drained or whether there is a balance.

REPRESENTATIVE BERGSAGEL said that is drained every session. He noted that there is $4.7 million of cigarette tax money for a $300 million problem.

When questioned by **SENATOR BURNETT** regarding the allocations for the Bluewater Hatchery, **REPRESENTATIVE BERGSAGEL** said HB 349 has a $2.5 million proposal for that hatchery. Associated with that proposal is construction or renovation of some housing, garages

and water raceways. It is important to save the source of water for the hatchery, and approximately $1.1 million will be used for the renovation of that water source. There will be a reallocation of part of those monies for river restoration, being natural and stream bank restoration. There is approximately $1 million allocated to the Tongue River Dam from Fish, Wildlife and Parks. They are going to take a certain percentage of these monies for fishery restoration, and they will use that in the Tongue River Basin.

SENATOR BECK questioned the status of the pharmacy addition at the University of Montana which is shown on page 5, line 12.

REPRESENTATIVE BERGSAGEL said LRBP looked at whether new facilities should be constructed when existing ones could not be taken care of. The Governor approved $2 million of bonding authority for the State of Montana, and there was $2 million of private donations for the pharmacy addition. When it came before LRBP, it went from a $4 million project to a $10 million project. They wanted to use $2 million of bonding authority with the remainder being private donations. The project had not gone through a review process with Architecture and Engineering (A&E). Because there was no chance for the legislature to review the project, it was pulled out.

After **SENATOR BECK** stated his position that with private donations the University should have the opportunity for the addition, **REPRESENTATIVE BERGSAGEL** said if the university is allowed to build a pharmacy building with total private funds and no bonding for the state, the total amount of the project should be included in HB 5 so they can complete the facility.

SENATOR WATERMAN questioned if two percent would be allocated for maintenance with passage of HB 5.

REPRESENTATIVE BERGSAGEL said it was his understanding that up to one percent of monies for arts and two percent for maintenance. He hoped that a revolving account would be set up for maintenance for building statewide, a bonding proposal for major maintenance and repairs.

When asked by **SENATOR WATERMAN** what his impression of minimizing the allocation for art meant, **REPRESENTATIVE BERGSAGEL** said his original language was to eliminate it. After consideration, minimizing would mean it had to be approved by A&E who he stated recognizes the maintenance needs for the state of Montana.

SENATOR WATERMAN voiced concern with minimizing art in the state.

REPRESENTATIVE BERGSAGEL concluded that while he could almost agree with that, there is $4.7 million to do a $300 million project, and the funds are not available.

Closing by Sponsor: **REPRESENTATIVE BERGSAGEL** closed on HB 5.

HEARING ON HOUSE BILL 584

Opening Statement by Sponsor:

REPRESENTATIVE ERNEST BERGSAGEL, House District 95, Malta, sponsor, presented HB 584, appropriating funds for the law enforcement academy project.

Proponents' Testimony:

SENATOR DON HARGROVE, Gallatin County, presented an amendment to the committee which would allow the academy to remain in Gallatin County if it does not come to Helena **EXHIBIT 1.** He noted that the operating costs are known in Gallatin County as well as there being a relationship with the university and the use of university facilities.

Jim Drummond, Bozeman, Montana, representing Bozeman Chamber of Commerce and Gallatin Development Corporation, stated if the academy did not go to Mountain View School, he would like to see the academy remain in the Gallatin Valley. He presented documents pertaining to the Gallatin County site **EXHIBITS 2, 3.**

Marilyn Wessel, Montana State University, testified that if the law enforcement academy is retained in Bozeman, MSU-Bozeman has a long history of cooperation with the academy, and they stand ready to continue that cooperation with facilities and faculty.

Governor Marc Racicot, State of Montana, said the state has always supported the academy in Bozeman while located there. He said Gallatin County voters did not approve replacing the temporary headquarters, which then led to a proposal before the long range building committee. He said their ultimate goal was an appropriate facility for proper training for law enforcement in Montana. The proposal to place the academy in Helena is driven by common sense and logic. It is also the least expensive proposal for taking advantage of a presently existing facility that is available and centrally located and has the endorsement of the Attorney General and virtually every law enforcement organization in Montana. This site would allow Montana to have an appropriate facility to train law enforcement officers in the state. While he is certain other communities also show interest in this facility, he maintained there was overpowering logic to relocate the academy at Mountain View. He concluded by urging the committee to not let the opportunity pass by to place an appropriate facility to train law enforcement officers.

Attorney General Joe Mazurek, Montana Department of Justice, presented an amendment **EXHIBIT 4** which would locate the law enforcement academy at the Mountain View School in Helena. He